

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

v.

JAMES HARRISON NEWCOMER aka
JAKE HARRISON NEWCOMER,
Defendant.

NO. CR24-110 JHC

DISCOVERY PROTECTIVE ORDER

This matter, having come to the Court's attention on the Stipulation for Entry of a Discovery Protective Order submitted by the United States of America and Defendant Jake Harrison Newcomer, Dkt. # 16, and the Court, having considered the motion, and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER:

1. Protected Material

The following documents and materials are deemed Protected Material. The United States will make available copies of the Protected Materials, including those filed under seal, to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Materials is limited to the attorneys of record, and

1 investigators, paralegals, law clerks, experts, and assistants for the attorneys of record
2 (hereinafter collectively referred to as members of the defense team). This category of
3 Protected Materials will be marked and labeled as “Protected Material”:

- 4 a. Minor victim(s) identifying and contact information;
- 5 b. Report(s) documenting a forensic sexual assault examination(s); and
- 6 c. Child Protective Services records. victims.

7 2. Scope of Review of Protected Material

8 Defense attorneys of record and members of the defense team may display and
9 review the Protected Material with the Defendant and may only provide a single digital
10 copy of the protected material to the defendant who may view the protected material at
11 the FDC in their computer lab or library. The protected material will be sent directly to
12 the FDC together with the “Electronic Discovery and Legal Material Authorization
13 Form” and a copy of the Protective Order., The defense agrees not to disseminate the
14 protected materials to third parties outside the “defense team.” The “Defense Team”
15 includes, FPD lawyers, paralegals, support staff, and experts retained by the Federal
16 Public Defender’s office (FPD). The defense agrees to serve a copy of the protective
17 order on any expert retained.

18 The attorneys of record and members of the defense team acknowledge that
19 providing copies of the Protected Material to other persons not specified in this order is
20 prohibited.

21 3. Consent to Terms of Protective Order

22 The provisions of the protective order shall apply to all members of the defense
23 team, including but not limited to other attorneys, contract attorneys, investigators, legal
24 assistants, interns, experts, and paralegals. It is the responsibility of defense counsel to
25 ensure that all members of the defense team understand the restrictions of the protective
26 order and understand that they are required to abide by those restrictions.

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4. Parties' Reciprocal Discovery Obligations

Nothing in this order should be construed as imposing any discovery obligations on the government or the defendant that are different from those imposed by case law and Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal Rules.

5. Filing of Protected Material

Any Protected Material that is filed with the Court in connection with pre-trial motions, trial, sentencing, or other matter before this Court, shall be filed under seal and shall remain sealed until otherwise ordered by this Court. This does not entitle either party to seal their filings as a matter of course. The parties are required to comply in all respects to the relevant local and federal rules of criminal procedure pertaining to the sealing of court documents.

6. Non-termination

The provisions of this Order shall not terminate at the conclusion of this prosecution.

DATED this 19th day of July, 2024.

John H. Chun

JOHN H. CHUN
United States District Judge